

## UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Statesboro Division

2008 JUN 23 PM 12:25

United States of America

v.

Ralph Peterson

Date of Previous Judgment: December 7, 2005

(Use Date of Last Amended Judgment if Applicable)

Case No: CR605-00009-002USM No: 12274-021

Millard B. Shepherd, Jr.

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 188 months is reduced to 156 months.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 121 to 151 monthsAmended Guideline Range: 100 to 125 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): Pursuant to U.S.S.G. § 4A1.3, the Court departed above the defendant's guideline range (from criminal history category IV to VI) at the time of the defendant's original sentencing. This reduced sentence also reflects an upward departure to reflect a sentence within the range established by an offense level of 27 and a criminal history category of VI (130 to 162 months).

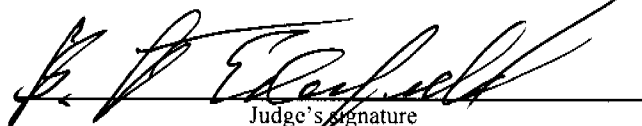
## III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated December 7, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008

  
Judge's signature

B. Avant Edenfield  
United States District Judge  
For the Southern District of Georgia  
Printed name and title

Effective Date: \_\_\_\_\_  
(if different from order date)